REMARKS

I. STATUS OF THE CLAIMS

Various of the claims are amended herein.

Claim 4 is canceled herein.

In view of the above, it is respectfully submitted that claims 1-3 and 5-27 are currently pending.

II. OBJECTION TO THE TITLE

The Title is amended herein to overcome the objection.

III. REJECTION OF CLAIM 1-4, 8-9, 11-15 AND 19-27 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY WRIGHT

Claim 1 recites that the optical source is capable of transmitting light signals at one or more of a plurality of different wavelengths, each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths, and each wavelength of said plurality is accepted by a predetermined different subset of optical network units.

Please note that claim 1 is amended to clarify such features. Similar amendments are made to the other independent claims.

In Wright, optical network units (ONUs) are not *preconfigured* to accept a predetermined subset of wavelengths. Instead, in Wright, optical network units must be tuned to accept a particular wavelength under control of optical line termination (OLT) device 12. See, for example, the Abstract, and column 8, lines 44-58, of Wright.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 1-7, 13-15 AND 19-27 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY DARCIE

Claim 1 recites that the optical source is capable of transmitting light signals at one or more of a plurality of different wavelengths, each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths, and each wavelength of said plurality is accepted by a predetermined different subset of optical network units.

Please note that claim 1 is amended to clarify such features. Similar amendments are made to the other independent claims.

In Darcie, optical network units (ONUs) are not preconfigured to accept a predetermined subset of more than one wavelength as recited, for example, in claim 1. Instead, as shown in

FIG. 1 of Darcie, each ONU (200, 300, 400) accepts a single fixed wavelength.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. REJECTION OF CLAIMS 1-3, 5, 8, 10-11, 13, 15-16 AND 18-27 UNDER
    35 USC 102(B) AS BEING ANTICIPATED BY CHAWKI

Claim 1 recites that the optical source is capable of transmitting light signals at one or more of a plurality of different wavelengths, each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths, and each wavelength of said plurality is accepted by a predetermined different subset of optical network units.

Please note that claim 1 is amended to clarify such features. Similar amendments are made to the other independent claims.

In Chawki, optical network units (ONUs) are not *preconfigured* to accept a predetermined subset of wavelengths. Instead, in Chawki, ONU's (secondary stations Si) must be tuned to accept a chosen wavelength in accordance with a signal sent by a central station. See, for example, the Abstract, and column 3, lines 14-24, of Chawki.

In view of the above, it is respectfully submitted that the rejection is overcome.

VI. REJECTION OF CLAIM 17 UNDER 35 USC 103 AS BEING UNPATENTABLE
     OVER CHAWKI IN VIEW OF ASANO

The above comments for distinguishing over Chawki also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

VII. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.
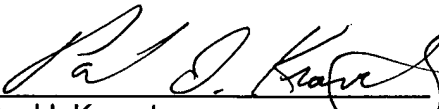
If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: <u>January 24, 2005</u>

By: _____

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